

**TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE**



FISCAL NOTE

SB 2899 - HB 3136

February 14, 2012

SUMMARY OF BILL: Requires law enforcement to send notification, to the owner and lienholders of a motor vehicle, when such vehicle has been impounded due to the manufacture of methamphetamine on or within the vehicle within 30 days of such impoundment.

ESTIMATED FISCAL IMPACT:

Increase Local Expenditures - \$6,100*

Assumptions:

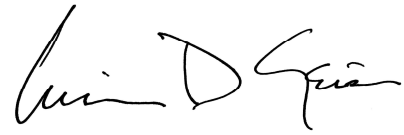
- According to the Department of Safety (DOS), there were 8,005 narcotic cases opened statewide in FY10-11 where assets were forfeited. This number remains constant in subsequent years under current law.
- DOS estimates that 20 percent (or 1,601) of statewide narcotic cases where assets were forfeited were related to methamphetamine.
- Of the 1,601 statewide narcotic cases involving methamphetamine where assets were forfeited, it is estimated that approximately 50 percent involve the forfeiture of a motor vehicle. Therefore, the number of statewide forfeited motor vehicles is estimated to be 800 per year.
- According to DOS, the Department currently notifies the applicable owners and lienholders of such impoundments because the Department is the prosecutor for all asset forfeiture cases involving narcotics. As a result, DOS indicates that any increase in state expenditures is not significant and can be accommodated within existing resources without an increased appropriation or a reduced reversion.
- DOS further indicates that the majority of these vehicle impoundments are made by local law enforcement. As a result, it is estimated that 700 of the 800 statewide forfeited motor vehicles are impounded by local law enforcement.
- This bill requires the law enforcement agency actually impounding the vehicle to send the required notice; as a result, this notice will be in addition to any notices sent by DOS.
- The bill further requires any such notifications be sent by certified mail, return receipt requested. DOS indicates postage cost for certified mail, return receipt requested, to be approximately \$4.50. The cost of the notification is estimated to be \$1.00 each.

- The total number of notices that will be sent are estimated to be 1,100 (700 owners + 400 lienholders).
- The recurring increase in local expenditures is estimated to be \$6,050 [1,100 notices x (\$4.50 + \$1.00)].

*Article II, Section 24 of the Tennessee Constitution provides that: *no law of general application shall impose increased expenditure requirements on cities or counties unless the General Assembly shall provide that the state share in the cost.*

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink, appearing to read 'Lucian D. Geise', written in a cursive style.

Lucian D. Geise, Executive Director

/rnc